

STATE OF MICHIGAN  
COURT OF APPEALS

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In the Matter of KATY BRITTON, WESLEY  
BRITTON, and KYLE BRITTON, Minors.

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FAMILY INDEPENDENCE AGENCY,

Petitioner - Appellee,

v

DENNIS BRITTON,

Respondent - Appellant,

and

DEBRA KAY CROWL,

Respondent.

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UNPUBLISHED

September 15, 2000

No. 224354

Bay Circuit Court

Family Division

LC No. 94-005030-NA

Before: Talbot, P.J., and Hood and Gage, JJ.

PER CURIAM.

Respondent-appellant appeals by leave granted the family court order terminating his parental rights to the minor children pursuant to MCL 712A.19b(3)(c)(i) and (g); MSA 27A.3178(598.19b)(3)(c)(i) and (g). We affirm.

To terminate parental rights, the family court must find that at least one of the statutory grounds for termination has been met by clear and convincing evidence. *In re Jackson*, 199 Mich App 22, 25; 501 NW2d 182 (1993). Once a statutory ground is established, the court must terminate parental rights unless “there exists clear evidence, on the whole record, that termination is not in the child’s best interest.” MCL 712a.19b(5); MSA 27.3178(598.19b)(5); *In re Trejo*, \_\_\_ Mich \_\_\_, 612 NW2d 407 (Docket No. 112528, issued 7/5/00), slip op pp 14, 27. We review the family court’s findings of fact under the clearly erroneous standard. MCR 5.974(I); *In re Sours*, 459 Mich 624, 633; 593 NW2d 520 (1999).

Respondent concedes that the statutory grounds for termination have been met by clear and convincing evidence. Respondent's sole argument on appeal is that the family court erred in concluding that termination was in the best interests of the children. We disagree.

The record establishes that respondent has been struggling unsuccessfully with alcohol addiction for approximately twenty-five years. Even after the initial petition was filed and the children were removed from his custody, respondent still failed to make any progress in attempting to overcome his severe and debilitating addiction. As the family court noted, although respondent had entered yet another treatment plan at the time of the termination hearing, it was unreasonable to prolong permanent placement until it could be determined whether respondent was finally serious about treatment. In addition to the failure to maintain his sobriety, respondent failed to secure housing for the children and frequently missed scheduled visits even though he knew that his failure to appear angered or disrupted the children.

Furthermore, the three therapists that treated the minor children during the case testified that the children came into their care with feelings of anger, resentment and abandonment associated with respondent's drinking and inability to provide a stable environment. According to the therapists, respondent's continued drinking and frequent failure to appear for scheduled visitations throughout the case only intensified the children's personal problems and negative feelings toward respondent. Although the children had undergone multiple placements and were teenagers at the time of the termination hearing, one therapist testified that they were all doing well in their current placements. The therapists agreed that returning the children to respondent under the current state of affairs would be detrimental, causing a regression in their progress. Moreover, the two older children were "adamant that they [did] not want to return to their father's custody" and "basically begged the court for permanence in this matter so that they could . . . settle in . . . with the family or housing situation that they're in." In light of this evidence, we cannot conclude that there was clear evidence, on the whole record, that termination was not in the children's best interests. *In re Trejo, supra* at 14, 27. Accordingly, the family court did not clearly err in terminating respondent's parental rights.

Affirmed.

/s/ Michael J. Talbot  
/s/ Harold Hood  
/s/ Hilda R. Gage